

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION**

IN RE: )  
 )  
CAH ACQUISITION COMPANY 16, LLC ) Case No. 19-01298-5-JNC  
d/b/a HASKELL COUNTY COMMUNITY ) Chapter 11  
HOSPITAL, )  
 )  
Debtor. )

**TRUSTEE'S APPLICATION FOR EXTENSION OF "ACCEPTANCE"  
PERIOD PURSUANT TO 11 U.S.C. § 1121(c)(3)**

NOW COMES Thomas W. Waldrep, Jr., Chapter 11 Trustee (the "Trustee"), by and through his undersigned counsel, and respectfully moves this Court for an Order extending the period for obtaining acceptances of the Plan pursuant to 11 U.S.C. § 1121(d)(2)(B) ("the Acceptance Deadline). In support of said Application, the Trustee shows unto the Court as follows:

1. The Court has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334. This is a core proceeding pursuant to 28 U.S.C. § 157(b)(2).
2. The Debtor filed a petition under Chapter 11 of the United States Bankruptcy Code on March 17, 2019. An Order appointing Thomas W. Waldrep, Jr. as Chapter 11 Trustee was entered on March 18, 2019.
3. On October 17, 2019, the Trustee filed the Amended Chapter 11 Plan and Disclosure Statement for the Estate. The hearing on plan confirmation has been scheduled for March 11, 2020.
4. On March 5, 2020, the Trustee filed a motion to continue the hearing on plan confirmation for approximately sixty (60) days. The Court has entered orders approving the sales of the Debtor's assets, as well as the sales of the assets of the Debtor's six other affiliates in Chapter 11 cases pending before this Court (the "Sale Orders," and each, a "Sale Order"). Five of the seven Sale Orders provide for mediated

settlement conferences between the Trustee, Complete Business Solutions Group (“CBSG”), Paul Nusbaum and Steve White (“Nusbaum/White”), and, in three of the Sale Order, Cohesive Healthcare Management & Consulting LLC (“Cohesive,” and together with the Trustee, CBSG, and Nusbaum/White, the “Mediation Parties”).

5. The Mediation Parties have selected a mediator and scheduled April 1 and 2, 2020 as the dates for the mediated settlement conference, the outcome of which will almost certainly result in necessary amendments to the plans in five of the affiliated cases. Further, one of the Mediation Parties, CBSG, objected to all of the plans filed by the Trustee. Therefore, it is also possible that the outcome of mediation may implicate CBSG’s objection to, and treatment under, all seven of the plans.

6. Accordingly, the Trustee has sought continuance of the hearings on plan confirmation from the March 11, 2020 to a hearing date approximately sixty (60) days thereafter in order to afford ample time to resolve all issues between the Mediation Parties and, if needed, file and serve amended plans.

7. The Trustee requests that the Acceptance Deadline be extended ninety (90) days from March 11, 2020 to June 9, 2020.

8. An Order allowing the extension as requested in this Application will not prejudice any party.

**WHEREFORE**, the Trustee respectfully prays that the Acceptance Deadline be extended to June 9, 2020.

DATED: March 6, 2020

**WALDREP LLP**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)  
Jennifer B. Lyday (NC Bar No. 39871)  
Francisco T. Morales (NC Bar No. 43079)  
James C. Lanik (NC Bar 30454)  
101 S. Stratford Road, Suite 210  
Winston-Salem, NC 27104  
Telephone: 336-717-1440  
Telefax: 336-717-1340  
Email: notice@waldrepllp.com

**- and -**

**HENDREN, REDWINE & MALONE, PLLC**

Jason L. Hendren (NC State Bar No. 26869)  
Rebecca F. Redwine (NC Bar No. 37012)  
Benjamin E.F.B. Waller (NC Bar No. 27680)  
4600 Marriott Drive, Suite 150  
Raleigh, NC 27612  
Telephone: 919-420-7867  
Telefax: 919-420-0475  
Email: jhendren@hendrenmalone.com  
rredwine@hendrenmalone.com  
bwaller@hendrenmalone.com

*Co-Counsel for the Trustee*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
GREENVILLE DIVISION

IN RE: )  
 )  
CAH ACQUISITION COMPANY 16, LLC ) Case No. 19-01298-5-JNC  
d/b/a HASKELL COUNTY COMMUNITY ) Chapter 11  
HOSPITAL, )  
 )  
Debtor. )

**NOTICE OF TRUSTEE'S APPLICATION FOR EXTENSION OF**  
**"ACCEPTANCE" PERIOD PURSUANT TO 11 U.S.C. § 1121(c)(3)**

NOTICE IS HEREBY GIVEN of the TRUSTEE'S APPLICATION FOR EXTENSION OF "ACCEPTANCE" PERIOD PURSUANT TO 11 U.S.C. § 1121(c)(3) filed simultaneously herewith in the above-captioned case; and,

FURTHER NOTICE IS HEREBY GIVEN that this Motion may be allowed provided no response and request for a hearing is made by a party in interest within **TWENTY-ONE (21) DAYS** and

FURTHER NOTICE IS HEREBY GIVEN, that if a response and a request for a hearing is filed by a party in interest in writing within the time indicated, a hearing will be conducted on the Motion and response thereto at a date, time and place to be later set by the Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the Motion and response thereto ex parte without further notice. Any party filing an objection requesting a hearing shall appear at said hearing or they may be taxed with Court costs.

DATE OF NOTICE: March 6, 2020

**WALDREP LLP**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)  
Jennifer B. Lyday (NC Bar No. 39871)  
Francisco T. Morales (NC Bar No. 43079)  
James C. Lanik (NC Bar 30454)  
101 S. Stratford Road, Suite 210  
Winston-Salem, NC 27104  
Telephone: 336-717-1440  
Telefax: 336-717-1340  
Email: notice@waldrepllp.com

- and -

**HENDREN, REDWINE & MALONE, PLLC**

Jason L. Hendren (NC State Bar No. 26869)

Rebecca F. Redwine (NC Bar No. 37012)

Benjamin E.F.B. Waller (NC Bar No. 27680)

4600 Marriott Drive, Suite 150

Raleigh, NC 27612

Telephone: 919-420-7867

Telefax: 919-420-0475

Email: [jhendren@hendrenmalone.com](mailto:jhendren@hendrenmalone.com)

[rredwine@hendrenmalone.com](mailto:rredwine@hendrenmalone.com)

[bwaller@hendrenmalone.com](mailto:bwaller@hendrenmalone.com)

*Co-Counsel for the Trustee*

**CERTIFICATE OF SERVICE**

I, Jason L. Hendren, 4600 Marriott Drive, Suite 150, Raleigh, North Carolina 27612, certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age;

That on the 6<sup>th</sup> day of March, 2020 I served copies of the foregoing document on the parties listed below electronically as directed in the Order Limiting Notice.

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this the 6<sup>th</sup> day of March, 2020.

**WALDREP LLP**

/s/ Thomas W. Waldrep, Jr.

Thomas W. Waldrep, Jr. (NC State Bar No. 11135)  
Jennifer B. Lyday (NC Bar No. 39871)  
Francisco T. Morales (NC Bar No. 43079)  
James C. Lanik (NC Bar 30454)  
101 S. Stratford Road, Suite 210  
Winston-Salem, NC 27104  
Telephone: 336-717-1440  
Telefax: 336-717-1340  
Email: notice@waldreppllp.com

**- and -**

**HENDREN, REDWINE & MALONE, PLLC**

Jason L. Hendren (NC State Bar No. 26869)  
Rebecca F. Redwine (NC Bar No. 37012)  
Benjamin E.F.B. Waller (NC Bar No. 27680)  
4600 Marriott Drive, Suite 150  
Raleigh, NC 27612  
Telephone: 919-420-7867  
Telefax: 919-420-0475  
Email: jhendren@hendrenmalone.com  
rredwine@hendrenmalone.com  
bwaller@hendrenmalone.com  
*Co-Counsel for the Trustee*

Marjorie K. Lynch (via CM/ECF)  
Office of the Bankruptcy Administrator

Rayford K. Adams (via CM/ECF)  
Counsel for the Debtor

John Paul H. Cournoyer (via CM/ECF)  
Counsel for Paul Nusbaum and Steven White

Nancy A. Peterman (via CM/ECF)  
Brian R. Anderson  
Counsel for Healthcare Ombudsman

Brian H. Smith (via CM/ECF)  
William Walt Pettit  
Counsel for Complete Business Solutions  
Group, Inc.

Jonathan E. Freisen (via CM/ECF)  
Counsel for Wendy C. Phillips

Ross Plourde (via CM/ECF)  
Counsel for Cohesive Healthcare Management  
and Consulting, LLC

William P. Janvier (via CM/ECF)  
Counsel for Boa Vida Foundation, Inc.